

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: Nikkia Tamar May AKA Nikkia Tamar Witcher DBA Deal Finding Diva DBA Fantasy Girl LLC	: : : : : :	Case No.: 20-10394 Chapter 13 Judge Ashely M. Chan *****
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	Debtor(s)	:	
JPMorgan Chase Bank, N.A.	:		Date and Time of Hearing
vs	Movant,		Place of Hearing
			September 20, 2022 at 11:00 a.m
		:	
Nikkia Tamar May	:		
AKA Nikkia Tamar Witcher	:		
DBA Deal Finding Diva	:		
DBA Fantasy Girl LLC	:		

Kenneth E. West

Respondents.

**MOTION OF JPMORGAN CHASE BANK, N.A. FOR RELIEF FROM THE
AUTOMATIC STAY REGARDING THE PERSONAL PROPERTY KNOWN AS 2016
ACURA RDX, VIN #5J8TB4H54GL021894**

JPMorgan Chase Bank, N.A. (the "Creditor"), by and through the undersigned counsel, files this Motion for Relief from the Automatic Stay pursuant to 11 U.S.C. § 362 and other sections of Title 11 of the United States Code, and under Federal Rules of Bankruptcy Procedure 4001 and 6007 for an order conditioning, modifying, annulling, or dissolving the automatic stay, averring as follows.

1. This is an action arising pursuant to a case under Title 11 of the United States Code.
2. Creditor is a lending institution duly authorized to conduct business in the Commonwealth of Pennsylvania.

3. Creditor is a party-in-interest in the above referenced Bankruptcy matter as it is a secured creditor of the Debtor.
4. The Court has jurisdiction over this matter under 28 U.S.C §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). The venue of this case and this Motion is proper under 28 U.S.C. §§ 1408 and 1409.
5. On April 26, 2019, Nikkia T May (the "Debtor") obtained a loan from JPMorgan Chase Bank NA, or its predecessor-in-interest, in the amount of \$25,458.27 for the purchase of a 2016 Acura RDX VIN #5J8TB4H54GL021894 ("Collateral"). Debtor agreed to make periodic payments to JPMorgan Chase Bank NA, or its predecessor-in-interest. Such loan was evidenced by a Retail Installment Sale Contract - Simple Finance Charge (With Arbitration Provision) (the "Contract"), a copy of which is attached hereto as Exhibit A.
6. To secure payment of the Contract, Debtor delivered the Certificate of Title for a Vehicle to the Collateral to Creditor or Creditor's predecessor-in-interest. On or about May 16, 2019, Creditor or Creditor's predecessor-in-interest perfected its security interest in the Collateral by delivering the Certificate of Title for a Vehicle along with the appropriate application and fees to the Department of Transportation of the Commonwealth in accordance with Pa.C.S. § 1132.1(a). As a result, Creditor has a valid security interest in the Collateral. A copy of the title inquiry is attached hereto as Exhibit B (the "Title").
7. Creditor believes the clean retail value of the Collateral is \$23,300.00 based upon the 2022 J.D. Power Used Cars/Trucks valuation, a copy of which is attached hereto as Exhibit C.
8. On January 21, 2020, Debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code ("Petition").

9. Debtor's Chapter 13 Plan calls for the Debtor to retain the Vehicle.
10. Per the filed Schedule C, Debtor did not claim an exemption on the Vehicle.
11. As of August 15, 2022, there is currently due and owing on the Contract the outstanding principal balance of \$13,530.60, plus interest accruing thereon at the rate of 0.000% per annum. This amount is broken down as follows:

Total Loan Balance	
Description	Amount
Principal	\$13,530.60
Interest	\$0.00
Escrow advance	\$0.00
Late charges	\$0.00
Other Income	\$744.35
Costs	\$585.00
Less Contractual Suspense Funds	\$(0.00)
Total: \$14,859.95	

12. As of August 15, 2022, the Debtor is due and owing for, with total post-petition delinquency of \$14,859.95. The loan was charged off on January 31, 2020 therefore, the total loan balance is due.
13. Creditor seeks relief from the automatic stay pursuant to 11 U.S.C. § 362(d) to proceed under applicable nonbankruptcy law to enforce its remedies to repossess and sell the Collateral.
14. Creditor is entitled to relief from the automatic stay for the following reason(s):
 - a. Creditor lacks adequate protection of its secured interest in the Collateral pursuant to 11 USC § 362(d)(1) as a result of Debtor's failure to make payments when due.

WHEREFORE, JPMorgan Chase Bank, N.A. respectfully requests this Honorable Court to enter an order terminating the Automatic stay as it affects the interests of JPMorgan Chase

Bank, N.A. in the Collateral, and granting such other relief as this Honorable Court may deem just.

Respectfully submitted,

/s/ Alyk L. Oflazian

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Attorneys for Creditor

The case attorney for this file is Alyk L. Oflazian.

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In re: :
: **Case No.: 20-10394**
Nikkia Tamar May : **Chapter 13**
AKA Nikkia Tamar Witcher : **Judge Ashely M. Chan**
DBA Deal Finding Diva : *********
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Debtor(s)

JPMorgan Chase Bank, N.A. :
: **Date and Time of Hearing**
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Respondents.

CERTIFICATE OF SERVICE

I certify that on the date of filing, a copy of the foregoing Motion of JPMorgan Chase Bank, N.A. for Relief from the Automatic Stay regarding the Personal Property known as 2016 Acura RDX, VIN #5J8TB4H54GL021894 was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Kenneth E. West, Chapter 13 Trustee, ecfemails@ph13trustee.com

Brad J. Sadek, Attorney for Nikkia Tamar May AKA Nikkia Tamar Witcher, DBA Deal Finding Diva, DBA Fantasy Girl LLC, brad@sadeklaw.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S. Mail to the following:

Nikkia Tamar May AKA Nikkia Tamar Witcher, DBA Deal Finding Diva, DBA Fantasy Girl LLC, 5225 W Clarkson Ave., Philadelphia, PA 19144

/s/ Alyk L. Oflazian
